

A regular meeting of the Michigan State Employees' Retirement System Board was held at the State Secondary Complex, General Office Building, First Floor, Conference Room A, Lansing, Michigan, on June 28, 2007. The following members, staff and observers participated:

Members Present: David Dekker, Employee Member
Douglas Drake, Retiree Member
George Elworth representing the Attorney General
Vernon Johnson, representing the State Treasurer
Daniel McLellan, representing the Director of Civil Service
Craig Murray, representing the Deputy Auditor General

Present via Phone: Calvin Frappier, Retire Member

Staff Present: Phil Stoddard, Executive Secretary
Kathy Ciaramella, Recording Secretary

Others Present: Thomas Schimpf of the Attorney General's Office; Al Trierweiler of the State Employees Retirement Association; Janet Ketchum, of Retirement Coordinating Council; Laurie Hill of the Office of Retirement Services; Sue Rausch of Disability Determination Services; Terri Gillies of Disability Determination Services; Sylvia Torrez of Disability Determination Services; Kathy Tober of the Office of Retirement Services; Lyndsay Keller of the Office of Retirement Services.

Call to Order

Chair Douglas Drake called the meeting to order at 1:37 p.m.

Excusing of Absent Members

Daniel McLellan moved, Craig Murray supported, to excuse the absence of Harry Posner and John Schoonmaker. The motion carried unanimously.

Approval of Agenda

Vernon Johnson moved, Craig Murray supported, to approve the revised agenda. The motion carried unanimously.

Approval of Minutes

Daniel McLellan moved, Craig Murray supported, to approve the meeting minutes of May 25, 2007, as presented. The motion carried unanimously.

Disability Retirement Applications

Non-Duty Disability Retirement Applications

Daniel McLellan moved, Vernon Johnson supported, to approve the non-duty disability applications 1 – 9, 11 – 13, and 15 – 17, as presented in the Supplemental Information to the Agenda, 7A, except applications 10 and 14. The motion carried unanimously.

Following discussion, David Dekker moved, George Elworth supported, to table application 10 to allow staff to provide the Board additional information for further consideration. The motion carried unanimously.

Following discussion, Daniel McLellan moved, David Dekker supported, to deny application 14 non-duty disability retirement benefits as presented in the Supplemental Information to the Agenda, 7A. The motion carried unanimously.

Duty Disability Retirement Applications

Daniel McLellan moved, David Dekker supported, to approve the duty disability applications 1 – 2, as presented in the Supplemental Information to the Agenda, 7B. The motion carried unanimously.

Administrative Hearings

Proposal for Decision – Docket 2005-AH078

The Board considered the case materials. Daniel McLellan moved, Craig Murray supported, that the Board adopt the findings of fact and conclusions of law as set forth in the Presiding Officer's proposal for decision dated March 27, 2007, except for the changes requested by Respondent, and deny duty and non-duty disability retirement benefits, using the form of the decision and order offered by Respondent. The motion carried unanimously.

Proposal for Decision – Docket 2005-AH064

The Board considered the case materials. Craig Murray moved, Daniel McLellan supported, that the Board adopt the findings of fact and conclusions of

law as set forth in the Presiding Officer's proposal for decision dated April 27, 2007, except for the changes requested by Respondent, and grant Petitioner's request for duty disability retirement benefits, using the form of the decision and order offered by Respondent. The motion carried unanimously.

Proposal for Decision – Docket 2007- 3 SERS

The Board considered the case materials. Daniel McLellan moved, Craig Murray supported, that the Board refer the matter to the Attorney General's office to prepare for the board's consideration a new proposal for decision that would deny duty disability retirement benefits and delete references to non-duty disability retirement benefits. The motion carried unanimously.

Proposal for Decision – Docket 2006-AH040

The Board considered the case materials. Craig Murray moved, Daniel McLellan supported, that the Board adopt the findings of fact and conclusions of law as set forth in the Presiding Officer's proposal for decision dated April 24, 2007, except for changes requested by Respondent, and deny Petitioner's request for non-duty disability retirement benefits, using the form of decision and order offered by Respondent. The motion carried unanimously.

Proposal for Decision – Docket 2006-AH077

The Board considered the case materials. Daniel McLellan moved, Vernon Johnson supported, that the Board adopt the findings of fact and conclusion of law as set forth in the Presiding Officer's proposal for decision dated April 7, 2007, except for the changes requested by Respondent, and deny duty disability retirement benefits to Petitioner, using the form of decision and order offered by Respondent. The motion carried unanimously.

Legislative Report

The current report was included in the agenda packet.

Board Comment

Chair Douglas Drake said he would not be attending the August board meeting.

Public Comment

The Board received no comments.

Executive Session

Daniel McLellan moved, Vernon Johnson supported, that the Board move to executive session to discuss pending litigation with legal counsel, as allowed under the Open Meetings Act, Section 8(e). A roll call vote was taken and the motion carried unanimously. A brief recess was taken to allow the public to exit the room.

The Board entered Executive Session at 2:12 p.m.

The Board returned from Executive Session at 2:35 p.m.

Adjournment

David Dekker moved, George Elworth supported, to adjourn the meeting at 2:36 p.m. The motion carried unanimously.

OFFICIAL MINUTES

John R. Schornaker
Chair Vice Chair

Paul Johnson
Executive Secretary